

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.38056 of 2017 (O&M)

Date of decision: 30.04.2018

Mandar Singh and others

...Petitioners

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashish Grover, Advocate
for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. Sudhir Paruthi, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.25 dated 27.03.2009 for offence punishable under Sections 341, 323, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Dayalpura, District Bathinda (Annexure P-1) on the basis of compromise dated 29.09.2017 (Annexure P-2) and subsequent proceedings arising therefrom.

In the present case, the FIR was registered on the statement of Amrit Pal Singh son of Mandar Singh @ Sukhmander Singh. Now, dispute between the parties has been resolved.

Vide order dated 17.01.2018, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Phul wherein it has been reported that statements of the

parties have been recorded and compromise entered between the parties is voluntarily, without any pressure, threat or coercion.

Counsel for the State as well as respondent No.2 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant) have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in **'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543** and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No.25 dated 27.03.2009 for offence punishable under Sections 341, 323, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Dayalpura, District Bathinda (Annexure P-1) and proceedings emanating therefrom stand quashed qua the petitioners.

April 30, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no